United States District Court
For the Northern District of California

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13   **IN THE UNITED STATES DISTRICT COURT**

14   **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

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16   **In re CHIRON CORP SECURITIES   No   C 04-4293 VRW**
     LITIGATION

17   **ORDER**

18   _____/

19   On November 19, 2008, class counsel submitted a proposed

20   "Final Order and Judgment," Doc #186, which the court declined to

21   enter for failure of the document to comply with FRCP 54(a) and

22   58(a). On January 28, 2009, class counsel submitted a revised

23   final order and judgment. Doc #196. Unfortunately, this latest

24   submission also fails to comply with FRCP 54(a) and 58(a) and the

25   court declines to enter it.

26   The court recognizes that Doc #186 follows a format

27   contemplated by the parties' settlement agreement and apparently

28   used previously in connection with securities class litigation.

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1 Regrettably, the court did not focus on this document's non-

2 compliance with FRCP 54(a) and 58(a) at the time the settlement was

3 under consideration, so that the form of judgment could then be

4 brought into compliance. Nonetheless, if a judgment is to be

5 entered, it should comply with the form of judgments so that its

6 satisfaction can be determined without resort to prolonged

7 proceedings.

8   To assist the parties in complying with the Federal

9 Rules, the court has drafted and attaches herewith a proposed form

10 of judgment that appears to the court to implement the parties'

11 intended disposition of the action. Counsel are requested to

12 review the attached proposed form of judgment and inform the court

13 whether it meets with their approval. In addition, counsel should

14 prepare a proposed form of order to resolve any outstanding issues

15 that require judicial resolution in order to implement their

16 settlement.

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18   IT IS SO ORDERED.

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21 VAUGHN R WALKER
    United States District Chief Judge

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